

House Bill 932 (AS PASSED HOUSE AND SENATE)

By: Representative Jenkins of the 8th

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing for the board of elections of Towns County, approved April 13, 2001 (Ga. L. 2001, p. 3876), so as to re-create the board as the Board of Elections and Registration of Towns County; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to relieve certain officers of powers and duties and to provide for the transfer of functions to the board; to provide for certain expenditures of public funds; to provide for compensation of personnel; to provide for offices and equipment; to provide for related matters; to provide for submission for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the board of elections of Towns County, approved April 13, 2001 (Ga. L. 2001, p. 3876), is amended by revising Section 1 as follows:

"SECTION 1.

(a) Pursuant to subsection (b) of Code Section 21-2-40 of the O.C.G.A., the board of elections of Towns County shall become the Board of Elections and Registration of Towns County.' The board shall have the powers, duties, and responsibilities of the judge of the probate court of Towns County under Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' and the powers, duties, and responsibilities of the board of registrars of Towns County under Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.' The members of the board in office immediately prior to the effective date in this Act shall continue to serve until the regular expiration of their respective terms of office. Successors thereto shall continue to be appointed as provided in Section 4 of this Act.

(b) The terms 'election,' 'elector,' 'political party,' 'primary,' and 'public office' shall have the same meanings as set forth in Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia

1 Election Code,' unless otherwise clearly apparent from the text of this Act, and the term
2 'board' means the Board of Elections and Registration of Towns County, 'commissioner'
3 means the Commissioner of Towns County, and 'county' means Towns County.

4 (c) The board may request additional clerical assistants and staff as needed to carry out
5 efficiently the duties and functions of the board on either an independent contract basis or
6 as county employees, to be determined by the commissioner. The commissioner shall be
7 responsible for determining the pay and salary of all clerical assistants and staff of the
8 board. Any such persons shall be hired by the commissioner, who shall consider the
9 recommendation of the board, and such clerical assistants shall be at-will, part-time
10 employees of the commissioner.

11 (d) The commissioner shall provide suitable offices and equipment and funding sufficient
12 to employ the staff and other employees as may be necessary."

13 **SECTION 2.**

14 The commissioner shall cause, through his or her legal counsel, this Act to be submitted for
15 preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended, within
16 45 days after the date on which this Act is approved by the Governor or otherwise becomes
17 law without such approval.

18 **SECTION 3.**

19 This Act shall become effective on September 1, 2008. Upon this Act becoming effective,
20 the judge of the probate court of Towns County and the existing board of registrars of Towns
21 County shall be relieved of all powers and duties to which the board succeeds by the
22 provisions of this Act and shall deliver to the board all equipment, supplies, materials, books,
23 papers, records, and facilities pertaining to such powers and duties.

24 **SECTION 4.**

25 All laws and parts of laws in conflict with this Act are repealed.
26